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INTELLECTUAL PROPERTY LAW1001 G STREET, N.W.
WASHINGTON, D.C. 20001-4597TEL: 202.508.9100
FAX: 202.508.9299
www.bannerwitcoff.com**FAX SHEET**

To:	Examiner Lee	FROM:	Gary Fedorochko
FAX:	703-746-6867	PAGES:	4
RE:	U.S.S.N. 08/760,706	DATE:	September 16, 2002

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME:	Lisa G. Jones	PHONE:	202-508-9137
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COMMENTS:

Examiner Lee:

As discussed attached is a copy of the Quayle Action dated August 16, 1999.

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of BANNER & WITCOFF, LTD. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

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**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/735,707	12/05/96	NAKAMIZU	N 1653-109

BANNER & WITCOFF LTD
1001 G STREET NW
ELEVENTH FL
WASHINGTON DC 20001

LM5170816

EXAMINER

CAO, A

ART UNIT

PAPER NUMBER

2754

RECEIVED

AUG 17 1999

DATE MAILED: 08/16/99

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

04076.73577 *spu*
DOCKETED #7

AUG 17 1999
Amendment Due
16 OC 1999

Office Action SummaryApplication No.
08/760,706

Applicant(s)

Nakamichi et al

Examiner

Allen Cao

Group Art Unit

2754☒ Responsive to communication(s) filed on Jun 15, 1999☐ This action is **FINAL**.☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Queyle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 2 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims☒ Claim(s) 2, 3, 5-7, 10-26, 28-43, and 45-154 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 2, 3, 5-7, 10-26, 28-43, and 45-154 is/are allowed.☐ Claim(s) _____ is/are rejected.☐ Claim(s) _____ is/are objected to.☐ Claims _____ are subject to restriction or election requirement.**Application Papers**☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.☐ The drawing(s) filed on _____ is/are objected to by the Examiner.☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.☐ The specification is objected to by the Examiner.☐ The oath or declaration is objected to by the Examiner.**Priority under 35 U.S.C. § 119**☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been☐ received.☐ received in Application No. (Series Code/Serial Number) _____.☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).**Attachment(s)**☐ Notice of References Cited, PTO-892☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____☐ Interview Summary, PTO-413☐ Notice of Draftsperson's Patent Drawing Review, PTO-948☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Application/Control Number: 08/760,706

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Art Unit: 2754

1. This application is in condition for allowance except for the following formal matters:

The original patent, or an affidavit or declaration as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CAR 1.178.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter. The original patent, or an affidavit or declaration as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CAR 1.178.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Cao whose telephone number is (703) 305-3796.



ALLEN T. CAO
PRIMARY EXAMINER

AC

August 13, 1999